

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission)	
On Its Own Motion)	
)	Docket No. 02-0147
Complaint pursuant to Section 13-514,)	
13-515 and 13-516 of the Public Utilities)	
Act and 83 Ill. Admin. Code Part 766.)	

Direct Testimony of

DIANNE M. MCKERNAN

On Behalf of Verizon North Inc. and
Verizon South Inc.

July 3, 2003

1 **Q. Please state your name and business address.**

2 A. My name is Dianne McKernan. My business address is 540 Broad St. 12th Floor,
3 Newark, New Jersey, 07102. I am employed by Verizon Wholesale Marketing Group as
4 an Account Manager, and am testifying as a witness on behalf of Verizon North Inc. and
5 Verizon South Inc. (jointly referred to as “Verizon Illinois” or the “Company”) in this
6 proceeding.

7 **Q. Please describe your business experience.**

8 A I joined New Jersey Bell in 1981 as a Customer Service Representative. In 1984, I was
9 promoted to the position of Customer Sales Representative, where I was responsible for
10 wholesale access service orders for long distance companies. In 1997, I was promoted to
11 Specialist for Wholesale Markets, where I was responsible for training and later
12 supervising a group of service representatives who provided general information and
13 assistance to inter-exchange carriers (“IXCs”). In 1999, I moved to the Account
14 Management group for IXCs in a support role; and in 2000, I began working with
15 Competitive Local Exchange Carriers (“CLECs”). I was promoted to my current
16 position, Account Manager, in 2001.

17 **Q. Have you previously testified before state regulatory commissions?**

18 A. Yes. I have presented testimony in West Virginia.

19 **Q. What is the purpose of your direct testimony?**

20 A. The purpose of my testimony is twofold. First, I provide a description of my present job
21 responsibilities as an Account Manager. Second, I present a chronological time-line
22 showing the correspondence between North County Communications (“NCC”) and
23 myself as it pertains to NCC’s interconnection in Illinois. This time-line will begin with
24 the first correspondence I received from NCC’s President, Mr. Todd Lesser, with respect

to interconnection in Illinois, and will end at the point where the interconnection process in Illinois was sufficiently advanced that NCC's primary contact, despite my continuing oversight as Account Manger, was with Verizon Illinois' Technical Support Group.

I.

Nature of Account Manager Responsibilities

Q. What are your present job responsibilities?

A. I am one of ten Account Managers responsible for acting as a point of contact, or an intermediary, between (1) CLECs assigned to me that wish to interconnect with any one of the incumbent local exchange carrier ("ILEC") operating companies affiliated with Verizon (hereinafter referred to as "Verizon ILECs"), and (2) other Verizon employees who are either subject matter experts or the persons responsible for actually handling and/or provisioning the CLEC interconnections on behalf of the individual Verizon ILECs.

Q. Could you characterize the nature of your job responsibilities in a single word?

A. Yes. If asked what single word would best describe my responsibilities, I would choose the word "liaison" or something similar like "point of contact," "intermediary" and "coordinator."

Q. Could you explain your present job responsibilities in more detail?

A. Yes. I act as an interface in the interconnection process for my assigned CLECs and the other Verizon employees who are responsible for actually provisioning the interconnections on behalf of the individual Verizon ILECs. As the responsible personnel may and often do differ between Verizon ILECs, I locate the appropriate personnel with respect to the specific Verizon ILEC with which any one of my assigned CLECs wishes to interconnect. Thereafter, I serve as an interface in the process between the CLEC and the Verizon personnel that have been identified. As part of this interface

function, I also assist my assigned CLECs in obtaining answers to any questions they may have by working to locate the appropriate subject matter personnel from whom an answer may be obtained. Again, once the appropriate subject matter personnel have been located, I serve as a type of “middle-man” to ensure that the CLEC obtains a responsive answer to its question. In this respect, as I also noted with regard to the personnel who manage and provision the interconnections, the subject matter experts may differ between Verizon ILECs. As a result, I seek out the subject matter personnel responsible for the specific Verizon ILEC with which the CLEC is seeking interconnection.

Q. Do you know why the personnel responsible for managing/provisioning CLEC interconnections as well as subject matter personnel may vary depending on the specific Verizon ILEC with whom the CLEC requests interconnection?

A. No. The underlying reason for the variance is beyond my knowledge. However, it is my understanding that Verizon Illinois witness Ms. Kathryn Allison discusses the reasons in her direct testimony.

Q. Have you ever held yourself out to NCC, the Complainant in this case, as either (1) a person responsible for knowing the technical aspects of the interconnection process, or (2) a subject matter expert?

A. No, I do not believe so. If NCC ever perceived as much from anything I stated or did, it certainly was not my intent to convey such a meaning.

Q. NCC has identified an e-mail from yourself to NCC’s President, Mr. Todd Lesser, in which you state that you will be NCC’s Account Manager “coast-to-coast.” (See Exhibits to Direct Testimony of Todd Lesser and Douglas A. Dawson, C-002). What did you intend to convey by this e-mail?

73 A. Simply that I would act in my capacity as an Account Manager for NCC regardless of the
74 individual Verizon ILEC with which NCC sought interconnection.

75 **II.**
76 **Time-Line of Correspondence with NCC**

77 **Q. When did you first become aware that NCC had an interest in interconnecting in**
78 **Illinois?**

79 A. I received an e-mail from Mr. Todd Lesser, time stamped Friday December 7, 2001, at
80 7:00 p.m. I have attached this e-mail to my direct testimony as Attachment DMM-1.

81 **Q. Does Mr. Lesser make any particular statements in his e-mail that you would like to**
82 **point out?**

83 A. Yes. Mr. Lesser stated: "Next week, I will be starting the process of expanding into
84 Illinois. Specifically, Leaf River Illinois."

85 Mr. Lesser also provided what I would describe as a somewhat unclear, non-
86 specific and moving estimate of his needs for toll traffic by saying: "We will need less
87 than twenty-eight T1's [sic] or one DS3 for long distance, IXC traffic. I would be
88 satisfied if we had ten T1's [sic]. We could even get by with four T1's [sic]. If four T1's
89 [sic] is an unrealistic expectation on my part, please let me know. I may be able to work
90 within the parameters that you set."

91 In addition, Mr. Lesser inquired as follows: "Is Verizon going to require a fiber
92 build for this? How much capacity will Verizon give me without it requiring a fiber
93 build?"

94 Mr. Lesser further stated his desired time-frame for interconnection of sixty-six
95 (66) days, and inquired whether such a time-frame would be realistic. He added as
96 follows: "If not, please tell me. My secondary choice of locations is Des Moines, Iowa.

Based on my past experience with Qwest, they can easily turn me up within sixty-six days.”

Q. What actions did you take, once you received NCC’s initial e-mail?

A. Initially, I attempted to locate NCC’s Interconnection Agreement (“IA”) with Verizon Illinois. I realized, however, as a result of my efforts that NCC did not have an IA with Verizon Illinois.

Q. Did you think the lack of an IA was important?

A. Yes. While I do not know the underlying reasons, based on my work experience it is my understanding that a CLEC needs to enter into an IA with each individual Verizon ILEC with which a CLEC wishes to interconnect. In my experience, one of the first things that most CLECs do upon contacting Verizon to initiate interconnection is enter into IAs with the relevant Verizon ILECs. Accordingly, I thought it was important to convey my finding to Mr. Lesser immediately to ensure that Mr. Lesser was aware that NCC did not have an IA with Verizon Illinois and could take the appropriate steps to enter into an IA with Verizon Illinois.

Q. When did you convey this information to Mr. Lesser?

A. I sent Mr. Lesser an e-mail the next business day, Tuesday, December 11, 2001, at 8:25 a.m. I have attached this e-mail to my direct testimony as part of Attachment DMM-2.

Q. What did you state in your e-mail?

I told Mr. Lesser that: “I did a little research to begin working on your request and found that Verizon does not have a record of an interconnection agreement with North County Communications for Illinois.” I also provided Mr. Lesser with a Verizon Illinois contact, Ms. Renee Ragsdale, that could help NCC establish an IA with Verizon Illinois; and I advised Mr. Lesser to contact Ms. Ragsdale “immediately to begin the process.”

121 **Q. Did Mr. Lesser respond?**

122 A. Yes. That same day, December 11, 2001, Mr. Lesser responded to my e-mail. I have
123 also attached Mr. Lesser's e-mail response to my December 11, 2001, e-mail to my direct
124 testimony as part of Attachment DMM-2.

125 **Q. What did Mr. Lesser state in his response?**

126 A. Mr. Lesser stated as follows: "I am sorry, I was obviously unclear. What I was trying to
127 say is that I didn't want to waste any of our time if Verizon was going to require a fiber
128 build and wouldn't use the same facilities that they would for a retail customer.
129 Obviously, we shouldn't even bother negotiating an interconnection agreement if Verizon
130 is going to require a fiber build."

131 Mr. Lesser also asked: "Would it be possible to find out if Verizon still requires a
132 fiber build or the use of a wholesale fiber mux to be used for all interconnections?"

133 **Q. Did you know the answer to Mr. Lesser's inquiry?**

134 A. No. As I stated above, it is not part of my job responsibilities to know the answers to
135 these types of substantive questions. Rather, I act as an intermediary by identifying the
136 appropriate personnel to obtain a response.

137 **Q. Did you perform such an intermediary role in response to Mr. Lesser's inquiry?**

138 A. Yes. Again, that same day, December 11, 2001, I forwarded Mr. Lesser's e-mail that
139 contained his inquiry to Ms. Candy Thompson, who is the Manager - Technical Support
140 in Verizon's Technical Support Group for Verizon West¹ and asked for a response. I
141 have also attached my e-mail to Ms. Thompson, as part of which I forwarded Mr.
142 Lesser's e-mail inquiry, to my direct testimony as part of Attachment DMM-2.

¹ Verizon West is a short-hand term for the Verizon ILECs in the former GTE territories.

143 **Q. Do you know whether Ms. Thompson or somebody else in Verizon's Technical**
144 **Support Group addressed to Mr. Lesser's inquiry?**

145 A. Yes. Yet again that same day, December 11, 2001, Mr. Charles Bartholomew, who is
146 also employed in Verizon's Technical Support Group for Verizon West, responded to the
147 e-mail I had sent to Ms. Thompson.

148 **Q. What did Mr. Bartholomew state in his response?**

149 A. Mr. Bartholomew responded very specifically that: "VZwest² does not require a fiber
150 build in order to interconnect." (footnote added). Mr. Bartholomew went on to say that:
151 "CLEC's may use leased facilities, collocation,³ or fiber." (footnote added). I have
152 attached the e-mail that I received from Mr. Bartholomew on December 11, 2001, to my
153 direct testimony as part of Attachment DMM-2.

154 **Q. Was that the end of Mr. Lesser's "fiber build" inquiry?**

155 A. Unfortunately, it was not; although, it should have been. Since I was NCC's Account
156 Manager across the United States, I was aware that NCC had a disagreement with the
157 Verizon ILEC that operates in West Virginia with regard to NCC's interconnection in
158 that state and, in fact, had filed a complaint with the West Virginia Commission with
159 regard to the issue. Although I am not a technical person, the West Virginia issue
160 appeared to me to be the same type of issue NCC was raising with its "fiber build"
161 inquiry in Illinois, although the terminology seemed somewhat different. I thought I
162 would be assisting in the resolution of the question by rephrasing Mr. Lesser's inquiry to
163 use some terminology that I had heard used in connection with the West Virginia issue.
164 Accordingly, the following morning, on December 12, 2001, I sent an e-mail to Mr.

² VZwest again is an abbreviation for Verizon West, which, as noted above, is used to describe the former GTE operating territories.

³ Collocation is an alternative method of interconnection, which includes locating the CLEC's equipment in leased space at the ILEC's switch.

Bartholomew and asked: “This customer is interested in using a existing enterprise services mux at the location. Would we be able to place the trunks on that type of facility? Verizon East⁴ has a policy against such an arrangement.” (emphasis added). I have attached the e-mail I sent to Mr. Bartholomew to my direct testimony as part of Attachment DMM-2.

Q. Do you know how Mr. Bartholomew interpreted the phrase “existing enterprise services mux?”

A. No. However, it is my understanding that Mr. Bartholomew discusses his understanding of the phrase in his direct testimony.

Q. What was your interpretation of the phrase?

A. Quite honestly, I am not sure. As I noted above, I am not a technical person. As a result, I did not have a specific type of facility in mind when I used the phrase. Instead, as I stated, I sort-of pulled terminology that I thought I had heard used in connection with NCC’s disagreement in West Virginia. I thought that doing so would facilitate the process of providing Mr. Lesser with an answer to his inquiry because, while Mr. Lesser used the term “fiber-build” in his inquiry in Illinois, I thought that he was probably trying to raise the same issue that was being addressed in West Virginia. By using terminology that I thought I had heard used in connection with the West Virginia issue, I thought I was assisting Mr. Lesser in obtaining a response to the question he had intended to raise.

Q. Did Mr. Bartholomew respond to your inquiry?

A. Yes. The very next day, December 13, 2001, Mr. Bartholomew responded by saying: “We received word from Product Management that the Verizon West policy is the same as the East. The CLEC may not terminate interconnection facilities on a retail facility.”

⁴ Verizon East is used to describe the former Bell Atlantic operating territories.
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188 (emphasis added). I have attached Mr. Bartholomew's December 13, 2001, e-mail
189 response to my direct testimony as part of Attachment DMM-2.

190 **Q. Did Mr. Bartholomew state what he intended by the phrase "retail facility?"**

191 A. No.

192 **Q. Fulfilling your role as an intermediary, did you provide Mr. Bartholomew's**
193 **response to Mr. Lesser?**

194 Yes. That same day, December 13, 2001, I forwarded Mr. Bartholomew's e-mail
195 response to Mr. Lesser. In that e-mail, I also stated that: "Unfortunately the West policy
196 is the same as the East, as you can see in the message below. We will not terminate
197 interconnection trunks on a retail/enterprise facility." (emphasis added). I have also
198 attached my December 13, 2001, e-mail to Mr. Lesser to my direct testimony as part of
199 Attachment DMM-2.

200 **Q. Why did you use the phrase "retail enterprise facility?"**

201 A. Like my prior use of the phrase "existing enterprise services mux," I did not have any
202 specific type of facility in mind when I used the phrase "retail/enterprise facility." The
203 phrase simply resulted from my combining part of the phrase "existing enterprise services
204 mux," which I had used in my inquiry to Mr. Bartholomew, and the phrase "retail
205 facility," which Mr. Bartholomew used in his response to my inquiry. In other words, I
206 simply combined and paraphrased the terms I and Mr. Bartholomew had used in our e-
207 mails to each other with regard to NCC's inquiry.

208 **Q. Did Mr. Lesser ask you what was meant by the phrase "retail/enterprise facility?"**

209 A. No.

210 **Q. Did Mr. Lesser tell you his understanding of the phrase "retail/enterprise facility?"**

211 A. No, he did not.

212 **Q. Did Mr. Lesser indicate to you that the response to his “fiber build” inquiry was**
213 **somehow problematic in that he thought it meant Verizon Illinois was violating**
214 **some type of legal requirements in connection with CLEC interconnections?**

215 A. No, he did not. The first I learned that Mr. Lesser found the response problematic was
216 when I became aware of NCC’s Complaint with the ICC.

217 **Q. From looking at Attachment DMM-2, is it correct that you sent to Mr. Lesser the**
218 **entire internal Verizon e-mail train that developed as Verizon personnel sent e-**
219 **mails to each other during the process of addressing Mr. Lesser’s “fiber build”**
220 **inquiry?**

221 A. Yes. I forwarded to Mr. Lesser the entire e-mail train, so he was able to review Mr.
222 Bartholomew’s e-mails to me in connection with the inquiry.

223 **Q. To be specific, you forwarded Mr. Lesser as part of this e-mail train Mr.**
224 **Bartholomew’s e-mail to you, dated December 11, 2001, wherein Mr. Bartholomew**
225 **specifically states that “VZwest does not require a fiber build in order to**
226 **interconnect.” Is that correct?**

227 A. Yes, that is correct.

228 **Q. Did Mr. Lesser ever ask you what was meant by Mr. Bartholomew’s statement?**

229 A. No, he did not.

230 **Q. Did Mr. Lesser ask you to ask Mr. Bartholomew what was meant by the statement?**

231 A. No, he did not.

232 **Q. Again, to be specific, you forwarded Mr. Lesser as part of the e-mail train Mr.**
233 **Bartholomew’s e-mail to you, dated December 13, 2001, wherein Mr. Bartholomew**
234 **uses the phrase “retail facility.” Is that correct?**

235 A. Yes.

236 **Q. Did Mr. Lesser ever ask you what was meant by the phrase “retail facility?”**

237 A. No, he did not.

238 **Q. Did Mr. Lesser ask you to ask Mr. Bartholomew what was meant by the phrase**
239 **“retail facility?”**

240 A. No.

241 **Q. When was your next correspondence with NCC?**

242 A. The next day, Friday, December 14, 2001, at 10:13 p.m., Mr. Lesser sent me an e-mail
243 wherein he inquired whether capacity existed for NCC to collocate with Verizon Illinois
244 at a specific location. He also asked: “How long does it take to establish co-location?
245 How long it would take to get interconnection trunks if we co-locate in the central
246 office?” I have attached Mr. Lesser’s December 14, 2001, e-mail to my direct testimony
247 as part of Attachment DMM-3.

248 **Q. What did you do with NCC’s inquiry?**

249 A. I handled it in my role as an intermediary. The next business day, Monday, December
250 17, 2001, I forwarded Mr. Lesser’s e-mail to Mr. Bartholomew to obtain a response. I
251 have attached my e-mail to Mr. Bartholomew, as part of which I forwarded Mr. Lesser’s
252 e-mail, to my direct testimony as part of Attachment DMM-3.

253 **Q. Do you know whether Mr. Bartholomew responded to NCC’s collocation inquiry?**

254 A. Yes. The next day, December 18, 2001, Mr. Bartholomew e-mailed his response directly
255 to Mr. Lesser and copied me on his e-mail. In his e-mail, Mr. Bartholomew provided Mr.
256 Lesser contact information for collocation with Verizon Illinois, including the contact’s
257 name, direct phone number and e-mail address. In addition, even though Mr. Lesser had
258 only asked about collocation, Mr. Bartholomew was forthcoming and voluntarily gave

259 Mr. Lesser the following advice with regard to what would be entailed should NCC wish
260 to proceed with interconnection:

261 For interconnection, you would first submit a forecast, we would hold a
262 conference call to discuss and revise the forecast if necessary. Once we
263 have an agreed upon forecast, you can submit orders for trunking. It takes
264 approximately 15 days from the receipt of a clean (no errors) order to
265 establish trunking.
266

267 I have attached Mr. Bartholomew's December 18, 2001, e-mail to Mr. Lesser to my
268 testimony as part of Attachment DMM-3.

269 **Q. Did NCC pursue collocation?**

270 A. Not to my knowledge. I did not receive any additional correspondence from NCC
271 concerning collocation in Illinois.

272 **Q. Did NCC respond to Mr. Bartholomew's December 18, 2001, e-mail by taking**
273 **action to complete or otherwise follow the steps Mr. Bartholomew identified with**
274 **regard to the interconnection process?**

275 A. Again, not to my knowledge, at least not within the time-frame relative to Mr.
276 Bartholomew's e-mail. In fact, I did not hear from NCC for some time with regard to
277 Illinois.

278 **Q. When did you next hear from NCC with regard to Illinois?**

279 A. Approximately one (1) month later, on January 13, 2002, I was copied on an e-mail from
280 Mr. Lesser to Verizon's Contract Negotiations Group, wherein Mr. Lesser stated: "Since
281 it is necessary for us to have an interconnection agreement before we can go to the next
282 level, I am formally requesting that Verizon and North County opt into the AT&T
283 agreement in Illinois." I have attached Mr. Lesser's January 13, 2002, e-mail to my
284 direct testimony as part of Attachment DMM-4.

285 **Q. Were you involved in the process of preparing NCC's IA with Verizon Illinois?**

286 A. No. However, it is my understanding that NCC's IA with Verizon Illinois was
287 contractually effective on February 5, 2002, and approved by the ICC on April 10, 2002.

288 **Q. Following Mr. Lesser's e-mail of January 13, 2002, wherein Mr. Lesser stated**
289 **NCC's intent to opt into the AT&T IA for Illinois, did Mr. Lesser contact you to**
290 **pursue interconnection in Illinois?**

291 A. No. I decided to take the initiative and contacted him on February 14, 2002, which was
292 about one (1) month later, because I had not heard from him.

293 **Q. Why did you contact Mr. Lesser at that time?**

294 A. Although I did not think that I had an obligation to initiate any communication at that
295 point, I was aware of Mr. Lesser's e-mail of January 13, 2002, wherein Mr. Lesser stated
296 NCC's intent to opt into AT&T's IA in Illinois, which seemed to me to indicate an intent
297 to pursue interconnection in Illinois. Accordingly, even though it seemed to me that the
298 "ball was in NCC's court," as a matter of courtesy, I took the initiative and e-mailed Mr.
299 Lesser to find out whether NCC still intended to pursue interconnection in Illinois. In
300 case NCC did, I substantially reiterated the steps that Mr. Bartholomew had previously
301 identified in his December 18, 2001, e-mail to Mr. Lesser, (Att. DMM-3), that NCC
302 would need to take to proceed with interconnection in Illinois.

303 **Q. Had NCC filed its Complaint with the ICC at that time?**

304 A. No.

305 **Q. What specifically did you say when you contacted Mr. Lesser on February 14, 2002?**

306 A. In reference to Mr. Bartholomew's December 18, 2001, e-mail, I stated as follows:

307 It has been almost two months since Charles sent this message to
308 you. Since you decided to pursue interconnection in Illinois by
309 signing an Interconnection Agreement, please advise me of your
310 intentions. In order to proceed with your request, please provide
311 me with the required forecast (found on the Verizon wholesale
312 markets web-site), and the location of your intended Point of

313 Interconnection so we may begin the process. Once I receive this
314 information, Verizon's technical support team will be able to
315 arrange a conference call with you and Verizon's various
316 departments to negotiate the requirements for this project to begin
317 the installation process.

318 I have attached my February 14, 2002, e-mail to Mr. Lesser to my direct testimony as
319 Attachment DMM-5.

320 **Q. Did Mr. Lesser respond to your February 14, 2002, e-mail?**

321 A. Yes, he responded by e-mail that same evening at 5:04 p.m. and also copied Mr.
322 Bartholomew on his response. Mr. Lesser stated:

323 Please provide me a list of locations where you have sufficient capacity
324 where I can turn up in thirty days. As I have told you before, I am
325 completely flexible as far as locations. While I do not expect you to
326 choose my location for me, I do expect you to cooperate in providing me
327 the information on locations where you have sufficient capacity to avoid
328 having to wait six months to a year for a fiber build.

329
330 Mr. Lesser went on to say:

331 As for the forecast information, please see my attached e-mail. Nothing in
332 the Telecom Act or any tariff requires me to provide this information to
333 you using a specific program. Feel free to have your data entry people
334 enter it into your system using any program or format they wish. I
335 certainly would not require you to provide me ASR's [sic] in the
336 Wordperfect for Unix format.

337
338 Finally, Mr. Lesser also stated: "I expect to hear from you by Monday regarding site
339 selection."

340 I have attached Mr. Lesser's February 14, 2002, e-mail to my direct testimony as
341 part of Attachment DMM-6.

342 **Q. What e-mail did Mr. Lesser attached to his February 14, 2002, e-mail as NCC's**
343 **forecast information?**

344 A. Mr. Lesser attached his initial e-mail correspondence to me dated December 7, 2001, in
345 regard to interconnection in Illinois. (*See*, Att. DMM-1).

346 **Q. What happened next?**

347 A. The following day, Friday, February 15, 2002, I responded to Mr. Lesser, via e-mail, as
348 follows: "I just wanted you to know that we are looking into your request for service
349 locations, but will not be able to provide you an answer by Monday. Monday is a Federal
350 Holiday and Verizon employees have the day off."

351 Also, in response to Mr. Lesser's resubmission of his initial e-mail
352 correspondence, dated December 7, 2001, with regard to interconnection in Illinois, (*see*,
353 DMM-1), as NCC's forecast, I stated: "I recognize your reluctance to complete the
354 forecast template, however, the information you provided in your e-mail is not
355 sufficient."

356 I have attached my February 15, 2002, e-mail to Mr. Lesser to my direct
357 testimony as part of Attachment DMM-7.

358 **Q. Did you believe that the forecast information Mr. Lesser had provided was**
359 **insufficient?**

360 A. Yes, because Mr. Lesser's forecast lacked much of the information outlined in the
361 Company's forecast form.

362 **Q. Was your request for NCC to provide further forecast information driven, in any**
363 **respect, by the fact that Mr. Lesser simply submitted the information via e-mail?**

364 A. No. In Mr. Lesser's February 14, 2002, e-mail, wherein Mr. Lesser resubmitted his
365 initial, December 7, 2001, e-mail as NCC's forecast information, (*see*, Att. DMM-6), Mr.
366 Lesser made an extraneous comment that assumes Verizon Illinois had an objection to
367 the manner in which Mr. Lesser submitted NCC's forecast information. Mr. Lesser's
368 assumption was simply incorrect. My attempts to obtain further forecast information
369 from NCC were not driven by the manner in which Mr. Lesser submitted the information.

Rather, my attempts pertained to the substance of the information Mr. Lesser had provided on NCC's behalf up to that point in time. In fact, as I note below, once Mr. Lesser finally submitted the appropriate forecast information for Illinois, Mr. Lesser again did so via e-mail. I voluntarily transcribed NCC's forecast information from Mr. Lesser's e-mail into the Company's database.

Q. So Mr. Lesser did respond to your February 15, 2002, e-mail request for additional forecast information?

A. Yes. Mr. Lesser provided a more complete forecast on the same day, February 15, 2002, via e-mail. I have attached Mr. Lesser's February 15, 2002, e-mail to my direct testimony as part of Attachment DMM-7.

Q. Did anything else occur on February 15, 2002?

A. Yes. That same day NCC filed its Complaint with the ICC.

Q. What was the next thing that happened?

A. On Tuesday, February 19, 2002, Mr. Bartholomew sent to me a response to Mr. Lesser's February 14, 2002, e-mail, (*see*, Att. DMM-6), wherein Mr. Lesser requested a list of locations where Verizon Illinois had sufficient capacity to interconnect with NCC. I then sent Mr. Lesser an e-mail that stated:

As per your request, here are three locations in DeKalb, Illinois served by fiber facilities. Currently, there is sufficient capacity at all of these sites to handle NCC's requirements to interconnect at the DeKalb tandem. Please advise me when you have secured your location, so we can proceed with our conference call to establish your interconnection.

Also, would you please clarify your forecast statement below regarding toll traffic. Based on your original message dated 12/7 am I to assume you are referring to interlata toll? Are you placing this order as a long distance provider? If this is correct, you will need to order Switched Access feature group D trunks via the ASR process.

I have attached my February 19, 2002, e-mail to Mr. Lesser to my direct testimony as part of Attachment DMM-8.

Q. Did Mr. Lesser respond to your February 19, 2002, e-mail?

A. Yes. Mr. Lesser responded that same day, stating: "I will contact a realtor⁵ ASAP." (footnote added). He also asked: "Since there is plenty of capacity, am I correct in assuming that we could be up and running within thirty days of the date we secure the office and place an order?" Finally, Mr. Lesser also responded to my "Feature Group D" question by stating:

I am talking about interlata and/or intralata toll calls that would be coming to us from long distance carriers. These trunks will allow our local customers in DeKalb to receive toll calls coming from the long distance carriers. It is my understanding that Verizon requests this type of traffic to be on a separate trunk group and you would like us to order these T1's [sic]. This is my understanding in West Virginia. If I am incorrect, please let me know.

I have attached Mr. Lesser's February 19, 2002, e-mail to my direct testimony as part of Attachment DMM-8.

Q. Did you, in turn, respond to Mr. Lesser's February 19, 2002, e-mail?

A. Yes. The following day, February 20, 2002, I provided some clarification in regard to Mr. Lesser's assumption that NCC would be interconnected within thirty days of the date NCC secures the office and places an order. I stated:

The locations I provided to you yesterday have sufficient capacity at this time. Please understand, this is just a snapshot of the facilities available on February 20th. Assuming there are no other orders placed for large quantities of service at any of the locations prior to you securing your space and issuing the orders, you could conceivably be up and running within 30 days. However, I'm reluctant to commit before we know the finalized location and have held the pre-planning call to address any other issues NCC might have.

⁵ Mr. Lesser's reference to a "realtor" likely meant a real estate agent that assists CLECs in securing property through purchase or rent.

I also thanked Mr. Lesser for clarifying the interLATA toll question, and advised Mr. Lesser as follows: “The process for ordering FGD trunks in Illinois requires you submit the ASRs via the ACG (Access Carrier Gateway) system.” In addition, I provided the web site URL, which would allow Mr. Lesser to do so.

I have attached my February 20, 2002, e-mail to Mr. Lesser to my direct testimony as Attachment DMM-9.

Q. When was your next correspondence with Mr. Lesser?

A. On February 21, 2002, Mr. Lesser responded to my February 19, 2002, e-mail as well as my February 20, 2002, e-mail. In relevant part to my involvement,⁶ Mr. Lesser stated:

You keep mentioning the Feature Group D trunks. We are a CLEC. We will be homing our codes off of the Verizon tandem DKLBILXA50T. We will require two or three types of interconnection trunks from Verizon. The number will depend upon Verizon’s requirements of how many types of trunk groups and if Verizon will combine local and Verizon intralata toll. One will carry local traffic, the second will carry Verizon intralata toll, and the third will carry toll from IXC’s (intralata and interlata). If we don’t order this third trunk group, nobody will be able to call our prefixes from outside DeKalb. The trunk groups may be configured as Feature Group D trunks as far as signaling is concerned, but they are not Feature Group D trunks. Companies/Long Distance carriers pay access fees per minute on Feature Group D trunks. Feature Group D trunks are used between a long distance carrier and a LEC. Not between [sic] LEC to LEC. These are Meet Point Trunks.

I have attached Mr. Lesser’s February 21, 2002, e-mail to my direct testimony as part of Attachment DMM-10.

Q. Why had you asked Mr. Lesser about Feature Group D trunks?

A. My questions to Mr. Lesser were based on an e-mail that I had received from Mr. Bartholomew on February 19, 2002, wherein Mr. Bartholomew indicates that a separate IXC trunk group is required which would be ordered as a standard switched access FGD,

⁶ Mr. Lesser also responded in regard to the list of three potential interconnection locations that Mr. Bartholomew had originally identified. Mr. Bartholomew addresses that aspect of Mr. Lesser’s February 21, 2002, e-mail in his direct testimony.

460 or Feature Group D, trunk group. I have attached Mr. Bartholomew's February 19, 2002,
461 e-mail to my direct testimony as Attachment DMM-11.

462 **Q. Did you respond to Mr. Lesser?**

463 A. No. At this point the email exchange occurred primarily between Mr. Bartholomew and
464 Mr. Lesser. As such, I will defer such discussion to Mr. Bartholomew.

465 **Q. Did you have any further correspondence with NCC that you would like to**
466 **mention?**

467 A. Yes, on February 25, 2002, Mr. Lesser sent me an e-mail wherein he states: “

468 There appears to be some misunderstanding. I wanted to make sure that
469 you all know that we are not just going to be serving Leaf River, but the
470 Leaf River area which includes DeKalb.

471
472 I have attached Mr. Lesser's February 25, 2002, e-mail to my direct testimony as

473 Attachment DMM-12.

474 **Q. Did you know why Mr. Lesser sent you his February 25, 2002, e-mail.**

475 A. No. However, I later learned that on February 22, 2002, Verizon Illinois had filed a
476 Motion to Dismiss NCC's Complaint in part on the ground that Leaf River was not a
477 Verizon Illinois exchange.

478 **Q. Have you summarized this time-line in a single exhibit?**

479 A. Yes. Please see Attachment DMM-12.

480 **Q. Does this conclude your testimony?**

481 A. Yes.

482